

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Boyd H. TIMOTHY, et al. Confirmation No.: 3498
Serial No.: 10/066,465 Examiner: Manglesh M. PATEL
Filed: January 30, 2002 Art Unit: 2178
For: METHOD AND APPARATUS TO DYNAMICALLY PROVIDE WEB
CONTENT RESOURCES IN A PORTAL
Date: October 21, 2009

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Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicant requests review of the final rejection dated July 21, 2009, in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

This review is requested for the reason(s) stated on the attached sheet(s). Note: no more than five (5) pages may be provided.

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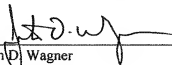
☒ attorney or agent of record

Total of 3 forms are submitted – Request; Pre-Appeal Brief Review; Notice of Appeal.

Customer No. 45842

Respectfully submitted,

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ARGUMENTS IN SUPPORT OF PRE-APPEAL BRIEF CONFERENCE

The rejections of at least claims 1, 5, and 6 should be withdrawn because the Examiner has failed to respond to Applicant's arguments regarding Wugofski

Claim 5 recites “the resource file map stores combinations of layout information files, languages in which the layout strings files store the layout strings, and identities of devices for display of the information.” Applicant argued in the Amendment filed on March 16, 2009 (“the previous Amendment”) that Wugofski does not teach a resource file map storing combinations of layout information files, languages, and device identities because, in fact, *Wugofski does not teach a resource file map at all*. The Final Office Action (“Action”) is completely silent with respect to this argument. Accordingly, Applicant requests that the Panel consider the rejection of claim 5 as having been overcome by Applicant’s argument as presented in the previous Amendment. In sum, Wugofski does not teach the features recited in claim 5 and thus does not remedy the deficiencies of Dunsmoir. It follows that claim 5 should be allowable over the combination of Dunsmoir and Wugofski. Claim 6 recites a similar feature and should thus be allowable for at least the same reasons that pertain to claim 5.

Regarding claim 1, Applicant submits that the Examiner continues to fail to describe how exactly the system of Dunsmoir could be modified to include the style sheets of Wugofski. Applicant explained in the previous Amendment that Dunsmoir (in combination with the related patent 7,174,506) teaches that static web pages are parsed by the Boson servlet to extract a template and that this template is used to rebuild the web page with alternate language strings provided by the Quark servlet. Applicant then asserted that *it is not clear where in this process the Examiner is proposing to insert the style sheets of Wugofski or how such style sheets could even work with the system described in Dunsmoir*. Applicant notes that the Action is completely silent with respect to this argument. Accordingly, Applicant requests that the Panel consider the rejection of independent claim 1 as having been overcome by Applicant's argument as presented in the previous Amendment.

The Dunsmoir reference does not teach or suggest the claimed features

Regarding claim 1, Applicant explained in the previous Amendment that Dunsmoir teaches a plurality of static web pages that can be passed to a Boson servlet, which then extracts a template from the static web page and passes tags from the template to the Quark servlet. The Quark servlet then accesses a dictionary file to find alternate language strings for each of the tags and passes them back to the Boson servlet. The Boson servlet replaces the original language strings with the alternate language strings (retaining the original formatting) and passes the modified web page back to the browser. Thus, *Dunsmoir does not teach a plurality of layout information files that describe how a layout string is displayed for a unique language; rather, Dunsmoir teaches that a template is extracted from a static web page on a real-time basis so that alternate language substitutions can be made.*

The Action responds at page 13 by stating that "Dunsmoir specifically teaches that the layout of its web pages are modified because he discloses 'layout definitions', there would be no need for any layout information if Dunsmoir did not modify the layout of his web page." The Action continues at page 14 by describing an example discussing the potential difference in length between Spanish text and corresponding English text. However, as asserted by Applicant in the previous Amendment, Dunsmoir at best could only be considered to teach *a single layout information file* (the template that is extracted from the static web page each time a different

language is requested). Therefore, *Dunsmoir does not teach a plurality of layout information files that describe how a layout string is displayed for a unique language.*

Claim 3 recites “a resource file map to store at least two combinations of a layout information file and languages in which the layout strings files store the layout strings.” Applicant argued in the previous Amendment that Dunsmoir does not teach anything about a resource file map and that, in fact, the template for the static web page in Dunsmoir does not even exist until the user requests a different language and the Boson servlet creates the template. Accordingly, there could not be a resource file map that stores at least two combinations of a layout information file and languages in which the layout strings files store the layout strings. Applicant also argued in the previous Amendment that, because the related Dunsmoir application describes the mapping of the different language strings to the web page template as occurring in real-time as a response to a request for an alternate language from a user, there would be no reason for the system of Dunsmoir to contain a resource file map.

The Action asserts at page 14 that Dunsmoir describes a resource file map and directs attention to Figure 2 of Dunsmoir. However, Applicant submits that Figure 2 of Dunsmoir is nothing more than an illustration of the architecture of prior multilingual websites that have hyperlinks to pages in different languages. Thus, *Dunsmoir does not teach or suggest a resource file map to store at least two combinations of a layout information file and languages in which the layout strings files store the layout strings.* Claim 22 recites a similar feature and should thus be allowable for at least the same reasons that pertain to claim 3.

Claim 3 also recites “a ranked list of languages.” As argued in the previous Amendment, Applicant notes that *nothing in Dunsmoir teaches or suggests a ranked list of languages*; rather, Dunsmoir’s system generates the alternate-language webpage *based on a specific language request from a user; not a ranked list of languages.* In response, the Action simply states that “Dunsmoir languages are a ranked list of languages because the underlying layout definitions and content are stored within a multilingual content database system,” and goes on to state that “the fact that they are stored in a database includes a ranking or order in which they are saved within the database.” Applicant respectfully disagrees and asserts that *the mere “fact that they are stored in a database” does not necessarily imply any type of ranking.* Thus, Applicant maintains the argument that Dunsmoir does not teach or suggest a ranked list of languages. Applicant notes that claims 20 and 21 also recite features that each involve a ranked list of

languages. Accordingly, claims 20 and 21 should be allowable for at least reasons similar to those that pertain to claim 3.

Claim 3 also recites “a selector to select one of the plurality of layout information files and one layout strings file based on the ranked list of languages and the resource file map.” Applicant argued in the previous Amendment that, because Dunsmoir does not teach a ranked list of languages, *Dunsmoir cannot teach the recited selector*. Furthermore, Applicant maintains the argument that *there is no reason for the system of Dunsmoir to include a selector because the alternate language is selected by the user*. Applicant notes that the Action is completely silent with respect to this argument. Accordingly, Applicant requests that the Panel consider the rejection of claim 3 as having been overcome by Applicant’s argument as presented in the previous Amendment. Claim 53 recites a similar feature and should thus be allowable for at least the same reasons that pertain to claim 3.

Claim 54 recites “a third directory storing at least one layout information file for a second combination of a language and a second device.” Applicant noted in the previous Amendment that the Examiner rejected this claim under the combination of Dunsmoir and Wugofski but did not point to any specific teachings in either of the references as teaching this feature; rather, the Examiner merely repeated the rejections of previous claims. Applicant also noted the lack of any teachings in either Dunsmoir or Wugofski as teaching this feature.

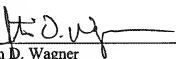
The Action responds at page 15 by simply directing attention to the “first argument which already teaches layout information files as layout definitions” and stating that “[w]hen a user makes a request for content the Boson Servlet acts as the content provider because it stores the layout and content in different languages in a multilingual content database system.” However, the mere assertion that the Boson Servlet stores certain layout and content “in a multilingual content database system” does not teach or suggest the recited “third directory storing at least one layout information file for a second combination of a language and a second device.” Therefore, Applicant maintains the allowability of claim 54 over the combination of Dunsmoir and Wugofski at least because the combination does not teach all of the features recited in the claim. Claim 55, which depends from claim 54, should also be allowable for at least the same reasons that pertain to claim 54.

In addition to the grounds stated above, numerous other grounds for overturning the Examiner's rejections are detailed in the previously-filed responses to prior Office Actions. However, for the sake of brevity, these additional grounds are not repeated here. For each of the reasons listed above, Applicant requests that the Panel reverse the Examiner's rejections and allow all of the pending claims in the present application.

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